# GOVERNMENT OF MAHARASHTRA
## Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032
## No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020

## ORDER

**Easing of Restrictions and Phase-wise opening of Lockdown. (MISSION BEGIN AGAIN)**

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**Reference:**

1) The Epidemic Diseases Act, 1897.
2) The Disaster Management Act, 2005
3) Revenue and Forest. Disaster Management. Relief and Rehabilitation Department Order No. DMU-2020/C.R.92/DMU-I, dated 2nd May 2020, 3rd May 2020, 5th May 2020, 11th May 2020, 15th May 2020, 17th May 2020, 19th May 2020, 21st May 2020, 31 May 2020, 4th June 2020, 25th June 2020, 29th June 2020, 6th July 2020, 7th July 2020, 29th July 2020, 4th August 2020 and 19th August 2020.
4) Ministry of Home Affairs (MHA) Order No. 40-3/2020-PM-1 (A) Dated 1st May 2020, 11th May 2020, 17th May 2020, 20th May 2020, 30th May 2020, 29th June 2020, 29th July 2020 and 29th August 2020 .

Whereas, in exercise of the powers, conferred under the Disaster Management Act 2005, the undersigned, in his capacity as Chairperson, State Executive Committee has issued an Order dated 29th July, 2020 to extend the lockdown measures up to 31st August, 2020 and issued revised consolidated guidelines from time to time vide above mentioned orders to contain the spread of COVID-19.

Whereas the State Government is satisfied that the State of Maharashtra is threatened with the spread of COVID-19 virus, and therefore to take certain emergency measures to prevent and contain the spread of virus, the Government in exercise of the powers conferred under Section 2 of the Epidemic Diseases Act, 1897, read with all other enabling provisions of The Disaster Management Act, 2005, it is expedient to extend the lockdown in the entire State of Maharashtra further till midnight of 30th September, 2020.

Now, therefore, in exercise of the powers conferred under Section 2 of the Epidemic Diseases Act, 1897 and the powers, conferred under The Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, hereby issues directions to extend the lockdown, with amendments, to operationalize MISSION BEGIN AGAIN for easing of restrictions and phase-wise opening, till 30th September, 2020 for

containment of COVID-19 epidemic in the State and all Departments of Government of Maharashtra shall strictly implement the guidelines issued earlier from time to time.

It is directed that the National Directives for COVID-19 management as specified in **Annexure I** shall be followed throughout the State. The activities already allowed and permitted from time to time and as mentioned in **Annexure II** shall be continued and all earlier orders shall be aligned with this order and shall remain in force up to and inclusive of 30th September, 2020. Further easing under MISSION BEGIN AGAIN will be notified in the due course.

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005 besides legal action under section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure III**.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MAHARASHTRA

(SANJAY KUMAR)
CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

**Copy to** :

1. Principal Secretary to Hon'ble Governor of Maharashtra, Mumbai.
2. Hon'ble Chairman, Maharashtra Legislative Council.
3. Hon'ble Speaker, Maharashtra Legislative Assembly.
4. Additional Chief Secretary to Hon'ble Chief Minister, Government of Maharashtra.
5. Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra,
6. Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra,
7. Private Secretary to Leader of Opposition, Legislative Council / Assembly,
8. Private Secretaries of All Hon'ble Minister/Minister of State, Mantralaya,
9. All Additional Chief Secretaries / Principal Secretaries / Secretaries of Government of Maharashtra.
10. Director General of Police, Maharashtra State, Mumbai,
11. Principal Secretary, Public Health Department, Mantralaya,
12. Secretary, Medical Education, Mantralaya,
13. All Divisional Commissioners in the State
14. All Commissioners of Police in the State
15. All Commissioners of Municipal Corporations in the State
16. All District Collectors
17. All Chief Executive Officers, Zilla Parishad
18. All District Superintendents of Police in the State

**(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020)**

***National Directives for COVID-19 Management***

1) **Face coverings** – wearing of face cover is compulsory in public places, in work places and during transport.
2) **Social distancing** – Individuals must maintain a minimum distance of 6 feet (*2 Gaz Ki doori*) in public places.
   Shops will ensure physical distancing among customers and will not allow more than five persons at one time.
3) **Gatherings** – large public gatherings / congregations continue to remain prohibited.
   Marriage related Gatherings – Number of guests not to exceed 50.
   Funeral / last rites related Gatherings – Number of persons not to exceed 20.
4) **Spitting in public places** will be punishable with fine, as may be prescribed by the concerned authority in accordance with its laws, rules or regulations.
5) **Consumption of liquor, Paan, gutka, tobacco, etc** in public places is prohibited.

***Additional directives for work places.***

6) **Work from Home (WFH)** – as far as possible the practice of WFH should be followed. Staggering of work / business hours will be followed in offices, workplaces, shops, markets and industrial & commercial establishments.
7) **Screening and Hygiene** – provision for thermal screening, hand wash and sanitizer will be made available at all entry and exit points and common areas.
8) **Frequent sanitization** of entire workplace, common facilities and all points which come into human contact e.g. door handles etc. will be ensured, including between shifts.
9) **Social Distancing** – all persons in charge of workplaces will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff etc.

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**Annexure II**

**(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020)**

1. **Containment Zones :-**
   i. The Containment Zones in the State as categorised vide order dated 19th May, 2020 and 21st May, 2020 will remain in force till further orders.
   ii. The directions issued by the Central Government and State Government from time to time to demarcate the Containment Zones and operations therein will be in force till further orders.
   iii. Considering the local conditions, the concerned District Collector and the Commissioners of the Municipal Corporations in the State may enforce certain measures and necessary restrictions in specified local areas on the permitted non-essential activities and the movement of persons to contain the spread of the epidemic only with the prior written approval of Chief Secretary, Maharashtra.

2. **Activities to remain prohibited across the State :-**
   1) Schools, colleges, educational and coaching institutions will remain closed till 30th September, 2020. Online / distance learning shall continue to be permitted and shall be encouraged.
   2) Cinema halls, swimming pools, entertainment parks, theatres (including that in malls and market complexes), bars, auditoriums, assembly halls and similar places.
   3) International Air travel of passengers, except as permitted by MHA.
   4) Metro Rail.
   5) Social /political/ Sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.

3. All essential shops which are allowed to remain open before this order, shall continue to do so.

4. **The following activities will be allowed to operate from 2nd September, 2020:-**
   i. All non-essential shops will be allowed to continue as per relaxations and guidelines issued from time to time. Liquor shops will continue to operate.

ii. Hotels and lodges will be allowed to operate at 100% capacity. Separate SOP will be issued for necessary precautions to be taken while operating these establishments.

iii. All State Governments offices (excluding Emergency, health & Medical, treasuries, disaster management, police, NIC, Food & Civil Supply, FCI, N.Y.K., Municipal Services) to work with the following strength

a) Group A and Group B Officers at 100% strength in the entire State of Maharashtra.

b) The staff other than Group A and Group B officers :

a. To attend the office with 30% strength or minimum 30 employees whichever is more, in Municipal corporations of MMR Region including MCGM, Municipal Corporations of Pune, Pimpri-Chinchwad and others as may be notified from time to time.

b. To attend the office with 50% strength or minimum 50 employees whichever is more, in rest of Maharashtra

A Vigilance Officer will be appointed in every office for ensuring the norms like social distancing, face coverings, etc. to avoid the spread of Covid-19.

Further, it will be ensured that every office will be equipped with necessary measures of Screening and Hygiene like thermal scanning, hand wash and sanitizers at all entry and exit points and common areas. Masks shall also be made available for employees.

iv. All private offices may operate up to 30% strength as per requirement. However all the employers will take sensitization programs to educate the employees to take adequate precautions on returning home so that vulnerable group especially the elderly is not affected. A Vigilance Officer will be appointed in every office for ensuring the norms like social distancing, face coverings, etc. to avoid the spread of Covid-19. Staggering of office timings should be encouraged and only work related movement will be allowed.

v. There shall be no restriction on Inter-District movement of persons and goods including those for cross land-border trade under Treaties with the neighbouring countries. No separate permission / approval / e-permit will be required for the vehicles and the persons travelling therein for such movements.

vi. Passenger movement by private bus / mini-bus and other operators will be allowed. The SOP for the same will be issued by the Transport Commissioner, Maharashtra.

5. Outdoor Physical Activities with no restrictions

6. Movement of people in all public and private transport is allowed in following manner:

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|---|---|
| Taxi/Cab/aggregator | Only essential 1 + 3 |
| Rickshaw | Only essential 1 + 2 |
| Four Wheeler | Only essential 1 + 3 |
| Two wheeler | 1 + 1 with helmet and mask. |

Wearing of mask shall be compulsory in transport system.

7. **Protection of vulnerable persons**:- Persons above 65 years of age, persons with co-morbidities, pregnant women and children below the age of 10 years are advised to stay at home, except for essential and health purposes.

8. The movement of persons for the purposes of non-essential activities will be carried out with all necessary prescribed mandatory precautions of wearing masks, social distancing and personal hygiene.

9. The following activities shall continue to Operate as per the SOPs issued for their operations:-

    i. SOP on transit arrangement for foreign national(s) in India issued vide MHA Order dated 2 April 2020.
    ii. SOP on movement of stranded labour within States/UTs issued vide MHA Order dated 19 April, 2020
    iii. SOP on sign-on and sign-off Indian seafarers issued vide MHA Order dated 21 April, 2020
    iv. SOP on movement of stranded migrant workers, pilgrims, tourists, students and other persons issued vide MHA Order dated April 29, 2020 and Order dated 1 May, 2020 and GOM Order dated 30 April, 2020.
    v. SOP on movement of Indian Nationals stranded outside the country and of specified persons to travel abroad issued vide MHA Order dated 5 May, 2020.
    vi. SOP on movement of persons by train issued vide MHA Order dated 11 May, 2020.
    vii. SOP for movement of persons arriving by trains into Maharashtra issued vide GOM Order dated 13 May, 2020
    viii. SOP for Social Distancing for Offices, Work Place, Factories and Establishments issued GOM Order dated April 17, 2020.

ix. SOP for operating Hotels and other entities providing accommodation services including Lodges issued vide GOM Order dated 6 July, 2020.

x. SOP for handling of International travellers arriving in Maharashtra issued vide GOM Order dated 8 May 2020, 24 May 2020 and 21 August 2020.

xi. SOP for handling of Domestic Air travellers arriving in Maharashtra issued vide GOM Order dated 25 May, 2020.

xii. SOP for Marriage related Gatherings issued vide GOM Order dated 23 June, 2020.

xiii. SOP for Barber shops, Saloons, Beauty Parlours issued vide GOM Order dated 25 June, 2020.

xiv. SOP for operation of MSRTC buses issued by MSRTC vide order dated 19 August, 2020.

10. Any other allowed and permitted activity by any specific/ general order would continue to operate.

11. **Easing of Restrictions and opening up of the activities which remain prohibited across the State will be done in phased manner along-with Standard Operating Procedures / Guidelines.**

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**Annexure III**

**[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 31st August, 2020]**

## Offences and Penalties for Violation of Lockdown Measures

### A. Section 51 to 60 of the Disaster Management Act, 2005

**51. Punishment for obstruction, etc.**—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

**52. Punishment for false claim.**—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

**53. Punishment for misappropriation of money or materials, etc.**—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

**54. Punishment for false warning.**—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

**55. Offences by Departments of the Government.**—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was

committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

**56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.**—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

**57. Penalty for contravention of any order regarding requisitioning.—**If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

**58. Offence by companies.—**(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purpose of this section— (a) "company" means anybody corporate and includes a firm or other association of individuals; and (b) "director", in relation to a firm, means a partner in the firm.

**59. Previous sanction for prosecution.**—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

**60. Cognizance of offences.**—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the State Authority,

the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorized as aforesaid.

## B. Section 188 in the Indian Penal Code, 1860

**188**. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or trends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

*Explanation.*—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

*Illustration*

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

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